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**To:** Woods, Clint [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bc65010f5c2e48f4bc2aa050db50d198-Woods, Clint]  
**Subject:** The Morning Headlines from InsideEPA.com -- May 18, 2018

A graphic with a halftone background. It features the text "InsideEPA" in a large, bold, sans-serif font, with "MORNING ALERT" in a smaller, all-caps, sans-serif font below it. The text is white and stands out against the grey halftone background.

# InsideEPA

## MORNING ALERT

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**REDEFINING EPA: Overhauling an agency and its mission -- Complete coverage**

May 18, 2018

### The Weekly Focus

#### **Absent Federal Policy, Governments File Tort Suits For Environmental Harms**

From fossil fuels that cause climate change, to lead paint and a host of toxic chemicals, state, county and city governments are increasingly turning to common law nuisance claims to recover cleanup and other funds from manufacturers, a growing sign that federal policy may be inadequate – or at least insufficiently funded – to address these harms.

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### Latest News

#### **Inhofe Floats 'Legislative Fix' To Codify Limits On States' CWA 401 Decisions**

Sen. James Inhofe (R-OK) is suggesting Congress create “a good legislative fix” to prevent states from using their authority under Clean Water Act (CWA) section 401 to stall federal projects such as construction of natural gas pipelines, drawing support from Assistant Secretary of the Army for Civil Works R.D. James at a May 17 hearing.

#### **EPA Proposes To Scrap Most Obama-Era Revisions To RMP Program**

The Trump administration is proposing to scrap most requirements of the Obama-era final rule updating EPA's facility accident prevention program, rescinding numerous new safety requirements in response to industry and state petitions, and arguing that EPA failed to adequately coordinate with other agencies in issuing the costly changes.

#### **EPA Again Finds Formaldehyde Poses Leukemia Risks But Stalls Study**

After years of additional study and scientific review, EPA has again found that formaldehyde poses leukemia and other cancer risks, though Democratic senators say the draft finding has prompted Trump EPA appointees to block release of the assessment and they are urging Administrator Scott Pruitt to quickly release it.

## **Democrats Take Rare Step Of Using CRA To Kill Trump Rule, Despite Critique**

Democrats are taking the rare step of using the Congressional Review Act (CRA), the law that eases Congress' ability to repeal EPA and other agencies' rules, to block a Trump administration rule rolling back Obama-era 'net neutrality' mandates, despite criticism from environmentalists that it legitimizes use of a poorly-written law that Republicans and industry have long-used as a deregulatory tool and which they are seeking to repeal.

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### **Daily Feed**

#### **Narrow CWA test fails to make the cut as Farm Bill amendment**

While the House Rules Committee did not allow a floor vote on the proposed Farm Bill amendment, the language limiting which waters are regulated could still serve as a marker for EPA's upcoming rule.

#### **EPA touts 'renewed emphasis' on self-audit policies**

EPA is promoting "opportunities to increase compliance through use of existing self-disclosure policies or tailored programs."

#### **Wehrum sidesteps queries on SAB review of science rule**

The EPA air chief's responses to a Democratic lawmaker's questions suggest the agency may urge its science advisors to avoid a review of its controversial rule seeking to block the use of 'secret science.'

#### **Ewire: Amid scandals, Pruitt lawyers up**

In today's Ewire: The EPA chief has hired a white-collar defense attorney to advise him as he faces more than a dozen official investigations, and hired another attorney to set up a legal defense fund.

#### **Wehrum strongly hints EPA will not scrap GHG risk finding**

EPA's air chief said Administrator Scott Pruitt is trying to find a way to allow critics of the finding have "some voice," but he said there is no "process" to solicit those views and there is no "schedule" to do so.

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